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4 BILL NO. Z-77-11-30

5 ZONING MAP ORDINANCE NO. Z-Lost

6 AN ORDINANCE amending the City of Fort  
7 Wayne Zoning Map No. K3.

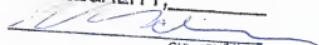
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9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
10 FORT WAYNE, INDIANA:

11 SECTION 1. That the area described as follows is hereby  
12 designated a B 3 B District under the terms of Chapter 36, Municipal  
13 Code of the City of Fort Wayne, Indiana, 1946, as amended by  
14 General Ordinance No. 2836 and amendments thereof; and the symbols  
15 of the City of Fort Wayne Zoning Map No. K3, referred to therein,  
16 established by Section 9, Article III of said Chapter as amended,  
17 are hereby changed accordingly, to-wit:

18 All that certain tract or parcel of land and premises  
19 hereinafter particularly described, situate and lying  
and being in the City of Fort Wayne, County of Allen,  
State of Indiana:

20 Lot Numbered Four (4) and the South 43 feet of Lot Numbered  
21 Three (3) in Suter's South Broadway Addition to the Town  
22 of South Wayne, now in the City of Fort Wayne, according  
to the recorded plat of said Addition, and in particular  
described as follows, to-wit:

23 Commencing at the southwest corner of said Lot 4 as defined  
24 by the point of intersection of the North R/W line of Grace  
25 Avenue by the east R/W line of Broadway, as in the said plat  
recorded; thence running north on the west line of said Lots  
26 3 and 4 and coincident with the said Broadway east R/W line a  
distance of 108 feet; thence eastward on a line parallel to  
the said Grace Avenue north R/W line, by a deflection right  
of 91 degrees 03 minutes, a distance of 155.6 feet to the  
West R/W line of an alley as in the said plat recorded;  
thence south along the east line of said Lots 3 and 4 and coincident  
with said alley west R/W line, by a deflection right of  
88 degrees 57 minutes, a distance of 108 feet to the southeast  
corner of said Lot 4 as situated at the point of intersection  
of the said alley west R/W line and the said Grace Avenue north  
R/W line; thence west along the south line of said Lot 4 and  
coincident with said Grace Avenue north R/W line, by a deflection  
right of 91 degrees 03 minutes a distance of 155.6 feet to the  
place of beginning; containing 16,804.8 square feet; together  
with all rights, reversionary or otherwise, in abutting streets  
and alleys.

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35 APPROVED AS TO FORM  
AND LEGALITY,  
  
CITY ATTORNEY

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4 SECTION 2. This Ordinance shall be in full force and  
5 effect from and after its passage, approval by the Mayor and legal  
6 publication thereof.  
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11 Virian G. Schmidt  
12 Councilman  
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Read the first time in full and on motion by John D. Schmidt, seconded by.

Henry, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_, at \_\_\_\_\_ o'clock M., E.S.T.

DATE: 11-22-77

Charles W. Wittenman  
CITY CLERK

Read the third time in full and on motion by W. Schmidt, seconded by Stier, and duly adopted, placed on its passage.

~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>0</u>	<u>8</u>	_____	<u>1</u>	_____
<u>BURNS</u>	_____	<u>X</u>	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	<u>X</u>	_____
<u>HUNTER</u>	_____	<u>X</u>	_____	_____	_____
<u>MOSES</u>	_____	<u>X</u>	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	<u>X</u>	_____	_____	_____
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>X</u>	_____	_____	_____

DATE: 11/10/78

Charles W. Wittenman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
(RESOLUTION) No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.  
ATTEST: (SEAL)

Charles W. Wittenman  
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the \_\_\_\_\_  
day of \_\_\_\_\_, 19\_\_\_\_\_, at the hour of \_\_\_\_\_ o'clock M., E.S.T.

Charles W. Wittenman  
CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Charles W. Wittenman  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 22, 1977, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-77-11-30; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on December 12, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held December 19, 1977.

Certified and signed this  
20th day of December 1977.

*Joseph N. Adair*

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Joseph N. Adair  
Secretary

REZONE FROM BIB TO B3B

MAP NO K3

Z-77-11-30

Z-77-11-30

BY M.F.C. 10-24-77



Bill No. 7-77-11-30

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. K3

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do Not PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

JOHN NUCKOLS - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD J. SCHMIDT

JAMES S. STIER

Vivian G. Schmidt  
John Nuckles  
William T. Hinga  
James S. Stier

ONE MAIN STREET  
FORT WAYNE, INDIANA 46802

**RECEIPT**

Date

Oct. 24

1977

No.

10059

Received From

National Oil Corp

Address

P.O. Box 476

Fifty Dollars

Dollars \$50<sup>00</sup>

For

Ryanng Bectos

Business  
Grosvenor

ACCOUNT		HOW PAID		
AMT. OF ACCOUNT	50.00	CASH		
AMT. PAID	50.00	CHECK	✓	
BALANCE DUE	0.00	MONEY ORDER		

By

Dary Bectos

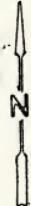
REZONE FROM BIB TO B3B

MAP NO K3

Z-77-11-30-

Z-77-11-30

BY M.F.C. 10-24-77



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Certified and signed this  
20th day of December 1977.

*Joseph N. Adair*

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Joseph N. Adair  
Secretary

## PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt Nō. \_\_\_\_\_

Date Filed \_\_\_\_\_

Intended Use \_\_\_\_\_

I/We NATIONAL OIL CORPORATION  
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B1B District to a/an B-3-B District the property described as follows:All that certain tract or parcel of land and premises hereinafter particularly described, situate and lying and being in the City of Fort Wayne, County of Allen, State of Indiana:Lot Numbered Four (4) and the South 43 feet of Lot Numbered Three (3) in Suter's South Broadway Addition to the Town of South Wayne, now in the City of Fort Wayne, according to the recorded plat of said Addition, and in particular described as follows, to-wit:Commencing at the southwest corner of said Lot 4 as defined by the point of intersection of the North R/W line of Grace Avenue by the east R/W line of Broadway, as in the said plat recorded; thence running north on the west line of said Lots 3 and 4 and coincident with the said Broadway east R/W line a distance of 108 feet; thence eastward on a line parallel to the said Grace Avenue north R/W line, by a deflection right of 91 degrees (SEE REVERSE SIDE)

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

<u>NATIONAL OIL CORPORATION,</u> an Indiana corporation	<u>P. O. Box 476</u> <u>Bluffton, Indiana</u>	<u>NATIONAL OIL CORPORATION</u> By: <u>William Poppert</u> Its: <u>President</u>
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(Name) (Address & Zip Code) (Signature)  
(If additional space is needed, use reverse side)

Legal Description checked by \_\_\_\_\_

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.  
EDWARD J. MOPPERT 1212 Anthony Wayne Bank Bldg.  
(Name) Fort Wayne, Indiana 46802 423-3331  
(Address & Zip code) (Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

03 minutes, a distance of 155.6 feet to the West R/W line of an alley as in the said plat recorded; thence south along the east line of said Lots 3 and 4 and coincident with said alley west R/W line, by a deflection right of 88 degrees 57 minutes, a distance of 108 feet to the southeast corner of said Lot 4 as situated at the point of intersection of the said alley west R/W line and the said Grace Avenue north R/W line; thence west along the south line of said Lot 4 and coincident with said Grace Avenue north R/W line, by a deflection right of 91 degrees 03 minutes a distance of 155.6 feet to the place of beginning; containing 16,804.8 square feet; together with all rights, reversionary or otherwise, in abutting streets and alleys.

Owners of Property

(Name)

(Address & Zip Code)

(Signature)

*PSH* Number assigned by Bill Salin's office: # 3868

Admn. Appr. \_\_\_\_\_

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-77-11-30

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the rezoning of the following described property:

Lots # 4 and the south 43 feet of Lot # 3 in Suter's South Broadway Addition, generally located on the northeast corner of Broadway and Grace Avenue.

From "B1B" to "B3B" -

EFFECT OF PASSAGE Property is presently zoned a "B1B" District - Limited Business. Petitioners are requesting a "B3B" - General Business.

EFFECT OF NON-PASSAGE Property would remain an "B1B"

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.)

*Dug*